

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 JULIE A. BARR-THOMAS,

4 Plaintiff

5 v.

6 NANCY A. BERRYHILL,

7 Defendant

Case No.: 2:18-cv-02251-APG-VCF


**Order (1) Accepting Report and  
Recommendation, (2) Denying Motion to  
Affirm, and (3) Granting Motion to  
Remand**

[ECF Nos. 20, 24, 26]

8 On January 22, 2020, Magistrate Judge Ferenbach recommended that I grant plaintiff  
9 Julie Barr-Thomas's motion to remand and deny the defendant's motion to affirm. ECF No. 26.  
10 No party objected. Thus, I am not obligated to conduct a de novo review of the report and  
11 recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo  
12 determination of those portions of the report or specified proposed findings to which objection is  
13 made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the  
14 district judge must review the magistrate judge's findings and recommendations de novo *if*  
15 *objection is made*, but not otherwise" (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Ferenbach's report and recommendation  
17 **(ECF No. 26) is accepted**, defendant Nancy Berryhill's motion to affirm **(ECF No. 24) is**  
18 **DENIED**, and plaintiff Julie Barr-Thomas's motion to remand **(ECF No. 20) is GRANTED**.  
19 This matter is remanded to the Social Security Administration for further proceedings consistent  
20 with this order and with Judge Ferenbach's report and recommendation.

21 DATED this 10th day of February, 2020.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE